



Michigan Department of State Police

# Emergency Management Division Informational Letter

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TO: Local Emergency Managers and Planners, District Emergency Management Coordinators  
SUBJECT: Change in Local Hazard Mitigation Plan Review Process

We are sending this letter to inform you of a change in the process for reviewing local hazard mitigation plans, and to explain what conditions are and are not affected by this change.

**Official plan reviews, and official approval of plans to certify communities for hazard mitigation project grants, will now be performed only by authorized federal staff.** Eligibility for hazard mitigation project funds will now come **only** from federal plan approval and not from "certification" by the State of Michigan. FEMA recently announced the expiration of the temporary condition in which states have been allowed to review and "certify" local plans.

This change will allow MSP/EMD staff to increase the amount of active assistance it provides to all of those communities that are involved in hazard mitigation planning activities (or would like to be).

Additional details and explanations about local hazard mitigation planning can be found in the Attachments 1, 2, and 3. If you have questions about this information letter, or if your community is not yet covered by a plan, and would like to be, please contact Mr. Mike Sobocinski at (517) 336-2053 or [sobocinm@michigan.gov](mailto:sobocinm@michigan.gov).

Sincerely,

JOHN ORT, CAPTAIN  
Deputy State Director of Homeland Security  
and Emergency Management

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#### Attachments (3)

- Changes Resulting From Federal Plan Review Policy
- Plan Review Services and Available Guidance Documents
- Federal Review and Approval Process

## Attachment 1: Changes Resulting From Federal Plan Review Policy

The main changes that result from this condition of exclusive federal plan approval will be:

1. MSP/EMD reviews will not ensure federal approval and future funding eligibility, which can now only be obtained from FEMA through an official federal review.
2. With official plan review now being handled at the federal level, it is anticipated that MSP/EMD hazard mitigation planning staff will now have more time to devote to providing direct assistance to communities that are working on their local hazard mitigation plans. Part of this assistance will be to continue to review submitted draft plans, if requested to, and to provide feedback to plan-writers about whether the plan seems to meet all the federally-specified requirements, before forwarding the plan to FEMA for official review.
3. In cases where the MSP/EMD has reviewed a local hazard mitigation plan, and believes that the plan has met all the requirements of the Disaster Mitigation Act of 2000, it will forward the plan to FEMA with a recommendation that the plan be approved. In other cases, a plan can, at the request of the community it represents, simply be forwarded to FEMA with a letter requesting their official review.
4. FEMA recently provided clarification regarding the process for obtaining plan approval and project grant eligibility. Please refer to Attachment 3 for more information.



## Attachment 2: Plan Review Services and Available Guidance Documents

### Planning Assistance Available

MSP/EMD planning staff has attended numerous official FEMA training sessions about plan review requirements, studied numerous FEMA publications, talked to federal reviewers, and scrutinized many local hazard mitigation plans, and is therefore well-prepared to offer advice about meeting the local hazard mitigation planning requirements of the Disaster Mitigation Act of 2000. **Communities may request an unofficial state review, and planning advice, or they have the option to decline this assistance, if they choose to, and instead request that MSP/EMD simply forward the plan for official federal review.**

### Federal Review Standards and Guidance

It should be noted that the review standards themselves have not changed – the Disaster Mitigation Act of 2000, and the related regulations as published in the Federal Register Volume 67 Number 38 (pages 8843 to 8854) dated February 26, 2002, remain the basis for plan reviews. As explained in MSP/EMD training, guidance documents, and staff outreach activities, those regulations contain elements that have required interpretation by FEMA, and FEMA has provided this interpretation through its training sessions and official publications. The most pertinent of these publications have been widely distributed to communities and planners throughout the state:

1. The “How To” series (especially document FEMA 386-2 entitled “Understanding Your Risks”) which started publication in August of 2001;
2. The “Multi-Hazard Mitigation Planning Guidance” section (often called “the 50-pager” by MSP/EMD staff), which was released in March 2004 and provides a point-by-point description of every planning element required or recommended in the Disaster Mitigation Act of 2000;
3. The official “Local Hazard Mitigation Plan Review Crosswalk” which FEMA uses to document the accomplishments and shortcomings of plans that have been submitted for its review under the standards of the Disaster Mitigation Act of 2000, dated March 2004.

Numerous other federal documents can be found on FEMA’s website, at <http://www.fema.gov/fima/>

### State Mitigation Planning Guidance and Model Plans

Because many federal documents include a great amount of information about hazards and conditions that have little relevance to the State of Michigan (such as tsunamis and hurricanes), the MSP/EMD consolidated all pertinent local hazard mitigation planning information into its guidance document EMD-PUB 207 “Local Hazard Mitigation Planning Workbook.” This document was revised and distributed in June 2001, and further revised and again distributed in February 2003 to include extensive new information about meeting the requirements of the Disaster Mitigation Act of 2000 and related planning regulations. That guidance book continues to provide an accurate guide for how to meet all the requirements of the Disaster Mitigation Act of 2000. The web site containing the text of this book can be found at: [http://www.michigan.gov/msp/0,1607,7-123-1645\\_4607\\_4612-14743--,00.html](http://www.michigan.gov/msp/0,1607,7-123-1645_4607_4612-14743--,00.html)

The only element of the book that has become less useful as a guide, over the 22 months since its most recent publication in February 2003, is the sample plan located in Appendix A (which focuses on flooding and does not include a thorough hazard analysis for other hazards). Through training and outreach provided by MSP/EMD staff, various materials have been shown and distributed that provide more up-to-date examples of model planning activities. Several different plans have provided examples of good work meeting some particular aspect or aspects of the planning requirements. MSP/EMD staff has distributed copies of a hazard mitigation plan produced for Kane County, Illinois which received official approval from the Region V FEMA office in Chicago, but no plan representing any Michigan community has yet been offered as a “model” for meeting all the plan reviews standards of the Disaster Mitigation Act of 2000. When a Michigan plan is officially approved by FEMA under these standards, materials from it can then be distributed throughout the state, if permission to do so has been granted by the plan’s authors and its community’s authorized representatives.



### Attachment 3: Federal Review and Approval Process

Now that FEMA is again the official agency for review and certification of local hazard mitigation plans under the Disaster Mitigation Act of 2000, the following step-by-step description will clarify the process by which review and certification will proceed.

- STEP 1. A full draft of the local hazard mitigation plan is produced, of a quality that is expected to meet all review standards.
- STEP 2. The plan is submitted to MSP/EMD, along with a completed plan review “crosswalk.”
- STEP 3. If requested, MSP/EMD staff will review the plan and provide feedback before the plan is forwarded to FEMA.
- STEP 4. MSP/EMD staff will forward the plan to FEMA for its official review.
- STEP 5. FEMA will receive and review the plan.
- STEP 6. FEMA’s official review is performed.
  - a. If the plan is approved or “conditionally approved” by FEMA, the jurisdiction(s) represented by the plan will be notified of its (their) eligibility to receive HMGP and PDMP project funding. Actual receipt of project grant funds cannot occur until the plan has been locally adopted by the appropriate community(ies) as described in #7 below.
  - b. If FEMA requires any changes to be made to the plan before it can receive approval, it will describe these changes in its review “crosswalk,” and steps 1 through 6 will be repeated after the plan has been revised.
- STEP 7. If it has not already done so, the local jurisdiction(s) will adopt the approved plan. (For more information about adoption by local jurisdictions, see note below entitled “Adoption by Local Jurisdictions.”)
- STEP 8. A copy of the memorandum, meeting minutes, or other official documentation of local plan approval shall be forwarded by MSP/EMD to FEMA if such documentation had not already been included in the approved local hazard mitigation plan.
- STEP 9. Communities that (1) are covered by an approved hazard mitigation plan, (2) have participated in the planning process, and (3) have adopted the plan (or otherwise officially stated that the plan represents their community) would then be able to receive grant funds for FEMA-approved hazard mitigation projects (under the Hazard Mitigation Grant Program, the Pre-Disaster Mitigation Program, and, if appropriate to the content of the plan, the Flood Mitigation Assistance Program [a special plan review is required for FMAP funding eligibility.])

#### Adoption by Local Jurisdictions

FEMA defines “local” in terms of the political level at which zoning (or other land-use regulatory authority) has been authorized. The level at which zoning (or other land-use regulation) is administered is considered to be the natural level at which hazard mitigation project implementation will best occur. Therefore, a local hazard mitigation plan is considered most appropriate when developed and adopted for each agency or community that controls zoning and land development activities in an area. In most cases, this authority is held by cities, villages, and townships in Michigan. In some cases, a county has this authority over one or more townships within itself.

When a city, village, or township develops a plan for itself, and also controls its own land use development activities, plan approval/adoption allows that community to be eligible to apply for federal hazard mitigation project funds. When a hazard mitigation plan addresses an area that contains more than one jurisdiction holding separate land-use regulatory authority, the plan is considered by FEMA to be a “multi-jurisdictional” plan (e.g. a county plan that covers numerous cities and townships that have independent control over their own land development activities). **A multi-jurisdictional plan can allow many jurisdictions to become eligible for hazard mitigation project grants, by demonstrating in the plan that each of these jurisdictions has (1) participated in plan development, (2) committed to mitigation actions within the plan, and (3) adopted (or given official recognition to) the plan as representing that community needs and concerns.** Separate adoption is not necessary for jurisdictions whose land use regulatory authority is controlled by an already participating/adopting body, such as a county.

